

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE		PAGE 1 OF 4 PAGES	
2. AMENDMENT/MODIFICATION NO. 002		3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.		5. PROJECT NO. (If applicable)	
6. ISSUED BY U.S. Department of Energy; National Energy Technology Laboratory P.O. Box 880; ATTN: Vicky L. Shears 3610 Collins Ferry Road Morgantown, WV 26507-0880		CODE	7. ADMINISTERED BY (If other than Item 6)		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State, and ZIP Code)  TO BE DETERMINED			(✓)	9A. AMENDMENT OF SOLICITATION NO. DE-PS26-00NT40781		
				9B. DATED (See Item 11) February 18, 2000		
			X	10A. MODIFICATION OF CONTRACT/ORDER NO.		
				10B. DATED (See Item 13)		
CODE		FACILITY CODE				

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

■ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☒ is not extended.

Offers must acknowledge receipt of this amendment in accordance with Section VII, Appendix A, Article 7.2.

(a) By completing Items 8 and 15, and returning 1 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

(✓)	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: ( <i>Specify authority</i> ) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES ( <i>such as changes in paying office, appropriation date, etc.</i> ) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER ( <i>Specify type of modification and authority</i> )

**E. IMPORTANT:** Contractor ☐ is not, ☐ is required to sign this document and return \_\_\_\_\_ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this amendment is to respond to questions received by the Government regarding the solicitation. None of the responses to the questions will result in a change to the solicitation or Amendment 001. The proposal due date is still April 4, 2000. See the continuation pages for the questions and responses.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER ( <i>Type or print</i> )		16A. NAME AND TITLE OF CONTRACTING OFFICER ( <i>Type or print</i> ) Raymond R. Jarr Contracting Officer	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA  Original Signed by Raymond R. Jarr BY _____ ( <i>Signature of Contracting Officer</i> )	16C. DATE SIGNED  3/22/00
_____ ( <i>Signature of person authorized to sign</i> )			

1. Question: Can proposed projects begin at any one of the technology maturation stages mentioned in the solicitation (i.e., stage 2, 3, 4, or 5)?

Response: Yes, proposed projects can begin at any one of the technology maturation stages identified in Article 8.3 of the solicitation. Proposed projects can also end at any one of the technology maturation stages identified in the solicitation. Please be advised that the technology maturation stages are not rigorously defined and therefore there may be some subjectivity. There will be no penalty associated with minor differences of opinion in assigning a maturation stage; for example, in assigning stage 3 versus stage 4. However, note that large-scale field demonstrations are specifically excluded from the statement of needs and thus are not included within maturation stage 5.

2. Question: Is this program interested in technologies already in the latter stages of maturation?

Response: Refer to DOE's response to question number one.

3. Question: Should all applications be submitted with the intent to reach and complete technology maturation stage 5, or are applications covering single phases acceptable?

Response: Applications for multiple or single technology maturation stage projects are acceptable. While it is DOE's intention to support development of products/systems that will culminate in successful completion of Maturation Stage 5, some needs are intended to obtain a better understanding of the science of energy and energy efficiency. In these cases, development of products/systems may not be feasible, and therefore may end prior to Maturation Stage 5. There may be additional situations in which attaining maturation stage 5 or even proposing more than one maturation stage is unwarranted. Consider, for example, complex technologies such as fuel cells. It may take more than 3-years and several millions of dollars to achieve a viable fuel cell product. It may make sense then, within the limited funding and time-scale of this solicitation, to support a project in only one maturation stage. However, in such cases the applicant should clearly describe how successful accomplishment of the single stage proposal supports eventual attainment of maturation Stage 5 and commercialization.

4. Question: How are go/no go decision points defined if an application is for a single technology maturation stage?

Response: The go/no go decision points will be determined based on appropriate technology-based milestones which allow independent evaluation of the rate of progress and likelihood of meeting project goals. These milestones can occur at nearly any point in a project and may be appropriate for short projects (10- to 18-months duration). The Government does prefer that go/no go decisions occur at least every 12-months.

5. Question: Is there a penalty if technology maturation stage 5 is included within the application?

Response: There is no penalty. Technology maturation stage 5 is appropriate for funding under this solicitation.

6. Question: What should an application include to demonstrate that the technology proposed is at a specific maturation stage?

Response: The applicant shall provide a summary discussion of work completed to date which has lead to the proposed initial technology maturation stage of the application, and include this discussion as part of Volume II, Technical Proposal, Section 1.2, "Description of the Technology."

7. Question: Within the evaluation criteria, “technical superiority” and “innovative and unique” are mentioned. Please provide definitions of these in regards to this solicitation, and please explain where “cost” fits within these definitions.

Response: Technical superiority in comparison to currently available products can be defined in terms of performance (ex.: increased output per unit energy consumption), manufacturability and reduction in capital and operating cost. Technology superiority can also be defined as the same or better energy performance with much lower cost. Product innovation and uniqueness can be defined in terms of the application of a new technology or a new application of an existing technology or a modification to an existing technology. The solicitation is not intended to support research and development (R&D) for technology superiority or innovation without regard to cost of the technology. The potential cost effectiveness of the technology must be addressed to allow evaluation of “overall impact of successful project completion to future success in the marketplace” under technical evaluation criterion 1 and to validate market penetration estimates provided in developing estimates of energy, environmental and economic benefits under criterion 2.

The cost of the application is a different issue. Please be advised the cost proposal will be evaluated for reasonableness and appropriateness, but will not be scored. Refer to Section VII of the solicitation for additional information.

8. Question: Must briefings be conducted in person, or can they be in writing or by telephone?

Response: The briefings required in Article 8.10F shall be presented to DOE at Morgantown, WV, or at a different location designated by the DOE Contracting Officer's Representative. Briefings shall be conducted in person or by video teleconference.

9. Question: Can proposals be submitted in a 2-column format?

Response: Refer to Article 8.5 of the solicitation, but there is no prohibition for using a 2-column format. In many cases, a 2-column format may make the application easier to read.

10. Question: Does the Government anticipate funding programs under this solicitation in a manner that would balance the overall program with respect to last year's awards in terms of funding distribution and/or number of awards among the need areas?

Response: It may be desirable for the Government to select a project(s) for award using the program policy factors contained in Article 6.2 of the solicitation, that provides overall programmatic balance with respect to: technology category (equipment end uses, envelopes and whole buildings); building type (residential and/or commercial); time of commercialization (short-term or long-term market potential of the technology), and project duration. Please be advised that there are several potential programmatic funding sources; some broadly apply to the Statement of Needs, while others are directly tied by Congressional budget authority to a specific need area (for example, lighting). Although the Government may find it desirable to achieve overall programmatic balance, including with respect to last year's awards, these specific budget authorities may limit the degree to which programmatic balance is achieved.

11. Question: Does the solicitation require breakdown of costs by function or activity?

Response: The breakdown of costs is to be by budget period, and within a budget period, by task. Both of the preceding shall list costs by cost elements (i.e. direct labor, fringe benefits, subcontracts, etc.). Please refer to Section VII, Article 7.2, Paragraph 5, “Supporting Cost Data Requirements For Applicants Other Than Universities,” of the solicitation for additional explanation.

12. Question: Can an application consist of a baseline component primarily funded by the U.S. Department of Energy and a value-added component which is co-funded by a state organization and which supports and enhances the total project?

Response: Yes, as long as the value-added component meets all of the cost sharing requirements set forth in Article 5.2 of the solicitation. In addition, to get credit for the state cost-share, there must be a high likelihood the state project will be implemented. It seems reasonable that the state will not commit to fund the "value-added" component unless the "baseline" project is selected in the DOE solicitation. Such applications must include evidence that the state project will be started in a timely fashion if the DOE project is selected for award.

13. Question: What is the difference or distinction between a "class waiver of patent rights" and an "advanced patent waiver" in this solicitation?

Response: From the perspective of a selected participant, the same terms and conditions apply regardless of whether the waiver is a class waiver or an advanced waiver. The difference lies in how the Department processes and administers the waiver. Advanced patent waivers are processed as the result of individual petitions received from participants. In contrast, a class waiver originates from the Department of Energy and is processed on behalf of all similarly situated participants meeting eligibility requirements as set forth in the solicitation. For class waivers, eligible participants are not required to submit waiver petitions. These participants must simply state their intention to participate in the class waiver and agree to the standard waiver terms and conditions. Note that even though a class waiver is contemplated, participants are not foreclosed from submitting an advance waiver petition. Since the intent of this solicitation is to promote the commercialization of energy efficient technologies, and multiple awards will be made by NETL, a class waiver would facilitate the transfer of invention rights from the government to the interested private sector participants by making the benefits of this program widely available to the public in the shortest practicable time.

14. Question: What are the definitions of Technology Stages 6 and 7?

Response: Technology Stages 6 and 7 are **not** eligible for this solicitation; however, these stages are defined as follows:

**Technology Maturation Stage 6 - Demonstration**

Application or setting, at one or more locations and obtains end-user validation. All technical, safety, regulatory, public and licensing issues are resolved.

**Technology Maturation Stage 7 - Implementation**

Utilization by end-user (s).

**END OF AMENDMENT 002**